## THE MODOC VICTORY.

Full Account of the Battle of the Lava Beds.

THE PLAN OF ATTACK.

Description of the Fight and the Retreat.

LIST OF THE KILLED AND WOUNDED.

Heroic Conduct of the Troops-Without Overcoats, Blankets or Rations-The Official Reports-Strength of the Modoc Position.

HERALD HEADQUARTERS, LOST RIVER CAMP, Oregon, Feb. 8, 1873. The battle of the lava beds has attracted so much general attention, both from the fact of the United States troops receiving such a severe check and from the varied descriptions of the scene of the contest, that I have prepared a pretty full report of that memorable engagement, feeling convinced that the details will be read with interest by the public in general.

After Captain Jack was driven from his camp on Lost River and took refuge in the lava beds, it was thought at first that he would come to terms and the war would be ended without further bloodshed. The addition, however, of fourteen warriors to his forces, that were really driven to the lava beds by the threats of the Sinkville citizens, heated by Sinkville whiskey, resulted in Captain Jack shing to make his own terms.

But Major General Frank Wheaton, who, as the commanding officer of the lakes, had come down in person to attend to this affair, soon arrived at the conclusion that if fighting was to be done the sooner this lava bed was inspected the better. Arrangements were then made for an attack, and as soon as the available troops had arrived in the neighborhood General Wheaton had several councils with Colonel Green, Colonel Mason and others as to the best means of getting at Jack in his lair. The lava beds were inspected and all the old settlers interrogated as to the geography, with reference to the moving of troops in that direction. There appeared to be a good many opinions

THE NATURE OF THE GROUND within the lava beds section, and, although all agreed in saying it was a very rough country, no one was competent to describe the extraordinary volcanic formations that were afterwards discovered by the troops when they made the assault. After mature consideration of the various plans of attack that were suggested General Wheaton decided to make a movement in force, which, should 4t not prove successful, would at least enable him to obtain a satisfactory reconnoissance of the ground upon which to base his plans for any future aggressive movement. Everything being arranged, the following orders were issued to the

officers in command;—

THE ORDERS FOR THE ATTACK.

HEADQUARTERS DISTRICT OF THE LAKES,
AND OF THE TROOPS OPERATING
IN THE MODOC COUNTRY,
CAMP NEAR VAN BRIMMER'S RANCH, Cal.,
Jan. 12, 1873.

1. The troops will move from their present camp east and west of the lava beds on Thursday, 16th of January, and take positions for the attack on the Modoc camp at sunrise on the following morning.

the Modoc camp at sunrise on the following morning.

2. At four A, M. on Thursday next Major John Green will detach Capiain D. Perry's Troop, F, First cavairy, and order it to clear the bluff southwest of Tule of Indian pickets and scouts, and cover the movement of the main force to a camp some three miles west of the Modoc position.

3. Major E. C. Mason's battation Twenty-first infantry, two companies—C, Capiain G. H. Burton, and B, commanded by Second Licutenant H. D. W. Moore—and a detachment of twenty men of F company, Twenty-first infantry, under First Sergeant John McNamars, General J. E. Ross, Oregon volunteer militia, two companies—A, Capiain Hugh Kelly, and B, Capitain O. E. Applegate—and Licutenant W. H. Miller's battery—a section of mountain howitzers—will march from Van Brimmer's Ranch to camp on bluff west of Tule Lake, in time to reach the designated camp not later than three P. M. on the 16th inst. The camp will be so located and arranged as to be secure from observation by the Modocs, and every precaution taken to prevent the Indians from discovering our numbers and precise location.

4. District Headquarters will accompany the recise location.
4. District Headquarters will accompany the

troops.
5. Early on the 17th of January the troops

above named will move into the lava beds to attack the Modoc camp, and in the following order:—Major E. C. Mason's battalion, Twenty-first infantry, leading, followed by General J. E. Ross' Oregon volunteer militia and the section of mountain howitzers packed. Captain D. Perry, Troop F. First cavalry, will follow the howitzer battery.

6. When the troops have reached a position near the Modoc camp the main force will be deployed on the right of the infantry battalion, in close skirmish order, and a left half-wheel of the whole line will be executed in order to enclose the southern side of the Modoc position and connect the right of the main force with the left of Captain Bernard's troop, who are simultaneously to attack on the east.

7. Also the troops operating against the Modecs are to move from this camp, with three days' cooked rations in haversacks, two blankets, one hundred rounds of ammunition on the person, and fity rounds in close reserve. Canteens will be filled at Little Klamath Lake by the troops moving from Yan Brunimer's Ranch, and care taken to water every horse and pack mule at that point, as there is no water on the bluff where the main force will encamp on the night of the 10th inst.

8. Major John Green, First cavalry, is charged with the execution of these movements and the details of the attack.

of the attack.

9. Lieutenant W. H. Miller, First cavalry, commanding the howitzer battery, will report to Major Green for orders and instructions as to when and waere to prepare his guns for action in the proposed attack. 10. The troops on the east side of the lava beds

posed attack.

10. The troops on the east side of the lava beds at Land's reach, Troops "G," Captain R. F. Bernard, and "B," Captain James Jackson, First cavalry, and the Klamath Indian scouts under Dave Hill, will move from camp on the 16th inst. to a point not more than two miles from the Modoc position. At sunrise on the 17th this force will attack the Modoc camp, with their right resting on or near Tule Lake, and when sufficiently near to render the movement advisable a right half wheel will be executed, in order to connect the left of this force with the troops attacking from the west. In his advance Captain Bernard will take steps to capture any causes the Modocs may have near their camp, or at least use every effort to prevent Indians escaping by water. Captain R. F. Bernard, First cavalry, will execute these movements under such detailed instructions as he may receive from Major John Green, First cavalry.

11. After the first three shots have been fired by the howitzer battery as the signal for the troops attacking on the east side of the Modoc camp pring will case for fifteen minutes, and an Indian scout directed to notify the nearest Modocs that ten minutes itme will be allowed them to permit their women and children to come into our lines. Any proposition by the Modocs to surrender will be referred at once to the District Commander, who will be present.

Acting Field Quartermaster and Commissary. ry, Acting Field Quartermaster and Commissary i Subsistence, and a guard of ten men, will remain t this camp in charge of the temporary field depot

at this camp in charge of the temporary field depot until further orders.

13. Lieutenant John Adams, First cavalry, Acting Assistant Adjutant General, District of the Lakes, and commanding detachment, If troop, First cavalry, will furnish from his command such details as may be required for the howitzer battery, and accompany the District Commander. Lieutenant Adams will be prepared to communicate by signals with the Signal Sergeant, who has been detailed for duty with the troops operating on the east side of the Modec position.

14. Assistant Surgeon Henry McEldery, United States Army, will give the necessary directions and instructions to the medical officers with the different commands and detachments in the field.

By order or

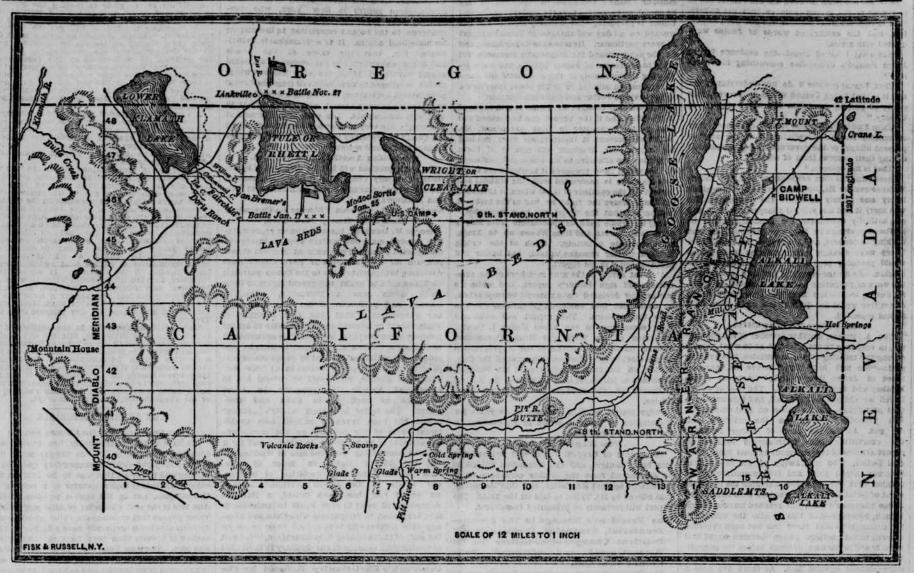
By order of Brevet Major General FRANK WHEATON, U. S. A.

Lieutenant Coionei Twenty-first inigntry,
Commanding District of the Lakes,
John Q. Adams, Pirst Lieutenant First cavairy,
Acting Assistant Adjutant General.
In pursuance of the above and according to instructions, the troops moved from their quarters
on the 16th inst. and camped in the respective locations to which they were assigned. Colonel Bernard, with two troops of the First cavalry, had a little skirmish on the evening of the 16th, as in the fog, which is very prevalent in that section of the country, he advanced rather nearer to Jack's stronghold than he intended, and when he found out his mistake and made a move to retire,

THE INDIANS OPENED FIRE from a position they had taken in the rocks. They

# THE BATTLE OF THE LAVA BEDS.

MAP OF THE NEW SEAT OF WAR.



to retreat to their stronghold, but not before they had wounded three of the cavalry.

On the fellowing morning the troops had all arrived at their assigned positions, and at daybreak Lieutenant Adams, Acting Assistant Adjutant General, reported to General Wheaton, the District Commander, the following force in the

Corps. Commanding Officer. Muster.
First cavalry. Captain Perry, F troop. 46
First cavalry. Captain Jackson, B troop. 42
First cavalry. Captain Bernard, G treop. 47
First cavalry. Lleut. Adams, H troop. 16
Twenty-first infantry. Lleut. Ross, B company. 38
Twenty-first infantry. Capt. Burton, C company. 57
Oregen field officers. 7
Oregen volunteers. Captain O. Applegate, A
company. 56 Company 56
Oregon volunteers. Captain Kelly, B company 46
Califernit volunteers. Captain Fairchild 25
Indian scouts. Dave Hill 20

under the charge of Lieutenant Miller, of the First cavalry. The troops on the west side moved down the precipitous bluff from their camping ground in the direction of the lava beds, Colonel Mason's battallen of the Twenty-first infantry, leading, followed by Captain Fairchild's California riflemen, General Ross' two companies of Oregon velunteers, the howitzer section, packed on mules, under the command of Lieutenant W. M. Miller, of the First cavalry, and Brevet Colonel D. Perry's troop of the First cavalry bringing up the rear. The morning

was damp and cold, and THE LAVA BEDS were nearly obscured from sight by a dense fog. which, however, only hung over that section and did not rise to the bluff which the troops had just left. The troops on the east side, commanded by Brevet Colonel R. B. Bernard, of the First cavairy, comprising his Troop G, and Brevet Major James Jackson's Troop B, First cavalry, with twenty Klamath Indian commanded by Dave Hill, simultaneously advanced from the position they had taken the previous evening, two miles from Captain Jack's stronghold. On account of the deep chasm and advance further than the position he had reached by severe skirmishing on the evening of the 16th.

were conducted by Major John Green, First cavairy, Brevet Colonel United States Army, and the district commander, Brevet Major General Frank Wheaton, Lieutenant Colonel of Twenty-first infantry, accompanied the troops, operating on the west side. This force had moved ferward from the base of the bluffs, with Captain Burton's company of the Twenty-first infantry ahead in skirmishing order. Upon the arrival of the troops at the lake a rush was made for water, as the men were naturally thirsty, having passed the night at a dry camp. The advance was then resumed across this rugged country, and it was with the greatest difficulty the men were kept in line, as the unnatural irregularities of the volcanic rock formed nearly insurmountable obstacles to to the right, with Colonel Perry on the extreme right, stretching into the heart of this fastness about a mile and a half, while Captain Burton moved with his company on the extreme left, sup-ported by Lieutenant Moore and his command on his right. The Oregon and Californian volunteers spread out the line between the extreme points and kept a steady advance, although the nature of the ground kept an irregularity in the face of the

THE PLAN OF THE ATTACK was to keep deploying in a half wheel to the right until Colonel Perry should connect with Colonei Bernard, who was adopting similar tactics, but moving from the left. The fog still hung low and shrouded the mysteries of this craggy fastness from these daring explorers, though the frequent whoop, denoted some fresh victim to the unerring marksmanship of these dusky warriors. It was impossible for men to do more than both the soldiers and the velunteers did on this occasion, and although every now and then there would b a vacancy in the muster roll, and some gallant soul would fall by the bullet of an unseen foe, another brave heart would fill up the gap and press or with the steadiness of a disciplined soldier. In vain the troops looked high and low for some Indian sign, and although the fog would rise ever now and then, not an Indian showed as much as the top of his head feathers. About noon Captain Perry, on the extreme right, arrived at

AN IMPASSABLE CHASM, at least it was impassable without a fearful sacrifice of life. Captain Perry sent back to the dis trict commander that it would be impossible for him to connect with Colonel Bernard by the right except by an immense loss of life, and added that If necessary he would carry the chasm, but be did not expect to take ten men across. General Whea-ton then came to the conclusion that if the prowell retire and wait for a few days, and consequently issued orders to that effect, but gave Major Green a discretionary power to push forward and connect by the left if he deemed it feasible. Major Green then ordered

A PLANK MOVEMENT BY THE LEFT, and, skirting along the lake under the snadow of some craggy strata of volcanic rock, in the possession of the enemy, they finally made the desired connection, but not before the galling free to which they had been subwere finally driven from their shelter and forced lected had thinned their ranks considerably.

of this fight, which proved such a trial to the officers, soldiers and volunteers that formed the attacking party. General Wheaton told me the other day that he had been through all the principal battles during the rebellion and he had never seen officers and men appear so utterly indifferent to danger or so cool and steady under such a har-rassing fire. The Indians did not waste much powder and shot, as they were excellent marksmen, and, having the advantage of a rest for the rifle and perfect safety from a return fire, were unwounded, and, looking eagerly around for his enemy, would only see the smoke of a ride curling up from a small hole on some maccessible crag overhanging his position. On one occasion a man was shot dead at a certain spot, and another man The second met the fate of the first, and a third. who went on the same errand, fell badly wounded. FELL WITHOUT KNOWING THE POSITION OF THE

INDIANS who had shot them. Every little narrow passage between the rocks that was likely to be of importance was guarded by two or three rifles peeping out from loopholes that the Indians had formed for that purpose. On the move along the lake to the left the men had to move with the greatest cau-tion, as the Indians had lined the overhanging bluffs with their men, and to show yourself in full view was nearly certain death. They crawled on their hands and feet, making a dart every now and then from one rock to another, but still pushing forward in the direction of Colonel Bernard. Captain Perry, who was with his troops on the left, while stretched behind a rock acciden tally turned on his side and exposed a portion of his shoulder and arm, receiving a severe fiesh wound, which compelled him to retire. Colonel Green and Colonel Mason were perpetually in the lives, as although their unforms were, in many instances, cut by a passing ball, neither received a scratch during the fight. There was not an offcer that went into the lava beds that did not come tora by a bullet. When

THE TROOPS ON THE WEST SIDE finally connected with Colonel Bernard they found him stopped from further advance by an immense strongly defended by Indians.
Shortly before dark the fog lifted slightly and

showed the Oregon volunteers, a portion of Captain Perry's troop and the injantry reserve still on the west side, and, at a signal from the District Commander, Major Green fell back to Land's Ranch to camp for the night with Bernard's command and the infantry battahon. The Oregon and California volunteers retired by the west side and fell back in Van Bremmer's Ranch. I cannot conclude without saying something of

THE DIFFICULTIES EXPERIENCED IN THE PETOPAT to Land's ranch, and of the bravery and heroism exhibited by the officers and men on that occasion. They had been up since four A. M. and fighting since half-past six A. M. up to dark. The retreat commenced at half-pest ten P. M. and continued all night and up to one A. M. next day. Thirtythree hours without rest or food are enough to try the patience and endurance of most men, but these gallant fellows never uttered a word, and were always ready to relieve one another at the end of a blanket, carrying the sick and wounded. Surgeon McEldery worked unceasingly, and through the day was exposed on several occasions to a dangerous fire, but never finched from his duty, and rushed from place to place to the assistance of the wounded. The following is THE OFFICIAL REPORT
of Brevet Colonel Mason, who was in command of

HEADQUARTERS MODOC EXPEDITION,

Headquarters Modoc Expedition,
Jan. 25, 1873.

Acting Assistant Adjutant General, District of
the Lakes:—
Sir—I have the honor to report that in compliance with General Order No. 3, dated headquarters, District of the Lakes, January 12, 1873, the
troops stationed at Van Brimmer's ranch, consisting of Major E. C. Mason's battalion, two companies
Twenty-first infantry—Company G., commanded by
Captain S. H. Burton, and Company B, commanded by
Lieutenant J. M. Ross; Troop F, First cavalry,
commanded by Captain Davis Perry; section of
howitzers, commanded by Lieutenant Miller; First
cavalry, Brigadier General John E. Ross, and two
companies Oregon Volunteers—Company A, commanded by Captain B. Helly, and Company B,
commanded by Captain John Fairchild, moved, on
the 16th inst., about twelve miles in the direction
of the Modoc stronghold and encamped for the
night within three miles of Captain Jack's camp.
Captain Perry, with his troop, preceded the column, with orders to clear the biuffs of Indian
pickets that the movement of the other troops
might be covered.

Captain B. F. Bernard, with his command, consisting of his own Troop G, and Captain Jackson, of
Troop B, First cavalry, moved the same morning
from the camp at Land's ranch to within two
miles of the lindian stronghold, where he encamped
for the night. I would here state that, on account
of the dense fog which prevailed, he got nearer
the Indian camp than was intended for that day,
and in noving back to the place he was to occupy for the night the enemy encavored to cut
him off. Some sharp fighting ensued, in which
he had several men wounded.

On the morning of the 17th, at half-past six
A. M., the troops on the west side moved down of
the bindian camp than was intended for that day,
and in noving back to the place he was to
comp for the night the enemy encavored to cut
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On the morning of the 17th, at half-past six
A. M., the troops on the west side moved down of
the bindian the f

ton's company was deployed as skirmishers, and ordered to move forward until his left reached the lake, when the line was halted until all got water (the troops having made a dry camp the previous night). When the advance was again ordered the skirmishers' line extended as follows:—The half of Company B, Twenty-first linfantry, commanded by Second Lieutenant H. D. W. Moore, formed on the right of Captain Burton's company; the other half, under First Lieutenant J. M. Ross, being kept in reserve, and alterwards used as a support to the howitzer section; the Oregon volunteers were formed on the right of the infantry, and the line was moved forward about a mile and a half, when I found it necessary to change its direction nearly to the left to reach Captain Jack's camp.

At this point I ordered Captain Perry, with his troop, to deploy on the right of the volunteers. He had not moved far in the new direction when the lindians opened fire, but the line moved steadily forward and we drove them from point to point over the most difficult country any troops ever operated in and at a disadvantage on account of the dense log still prevailing. At about two P. M. a point was reached presenting a very deep chasm, beyond which no advance could be made without, great sacrifice of life, and it was then doubted whether the place could be taken.

After consulting with the District Commander I coucluded to make a flank movement to the left and along the shore of the lake with the hope that I could disodge the Indians from that side—a movement exceedingly difficult to make, owing to the nature of the country; and after successfully performing this manceuvre we found the Indians, if anything, in a stronger position than before, A this time, Captain Bernard hearing our firing, but unable to see us on account of the dense for, shouted across a point of the lake, to say that he was within lour or five hundred yards of the Indians, who had to be driven off in order to continue the advance, and at a considerable loss of killed and wounde dark. It was imposible to make the propose charge, the nature of the rocky ground preventing men moving faster than at the slowest pace an semetimes forcing them to crawl on their hand and feet.

that could be done; troops never behaved better; they contended galantly with an enemy hidden by rocks, deep gorges and enveloped in a dense fog. We tried to Attack on every side with the same result.

On reaching Captain Bernard it was found he, too, had a deep chasmin irout of him so thoroughly commanded by indians he could scarced without the loss of a large number of men. this time quite a number of Indians were moving down another deep ravine, I think with a view of turning our left fank. I sent Captain Bernard with his troop to drive them bnck, which he did successfully. Just before dark the fog cleared, when a signal was received from the District Commander, who was still on the west side with the Oregon volunteers, a portion of Captain Perry's troop, and the infantry reserve under Lieutenant Ross, separated from us by the log, while making the flank-movement, ordering us to reture to our camp of the previous night. I had before this received a message from him, stating that if I could not accomplish my intention. To retire; but I found I could not return to the command left behind without another great sacrifice of life, and concluded to fall back to Land's ranch or Captain Bernard's camp, about fourteen miles in the rear. This I began to do at half-past ten P. M., but, as several of the wounded had to be carried in blankets, it was one P. M. the following day before the last of the column reached hare.

I would here state that Captain Perry's position was changed at eleven o'clock from the extreme right to the right of the infantry battalion, leaving the Oregon volunteers on the right. I must speak in the highest terms of the officers and men for their gailant and courageous conduct under the most trying circumstances, having to move on an enemy occupying the strongest independent of the property of the conditions of the cond

The wounded of Captain Fairchild's detachment of California volunteers are in hospital at Fort Klamath and receive the same attention as the Where all of the enlisted men behaved so well it is difficult to make special mention; but I must say First Sergeant W. A. Roundy, Company C. Twenty-first infantry, stands prominent for his brave and gallant conduct, being frequently under my own observation during the day, and it is with pleasure I recommend him for a commission in the United States Army if otherwise qualified.

In conclusion I would state that there were about one hundred and seventy-five men of regular troops, one hundred and four volunteers and twenty Indian scouts actually in the engagement, the others being required for guards for depots, camps and a small reserve. I am, sir, very respectfully, your obedient servant,

Major First cavalry, commanding.

EXTRACTS FROM REPORT OF MAJOR EDWIN C. MASON, TWENTY-FIRST INFANTRY.

The battalion advanced rapidly, occasionally charging in double line and driving the Indian skirmishers from their position in the rocks. The difficulties of the advance now rapidly increased, the country becoming more broken, the volcani rock being piled up so as to offer complete shelter and protection to the Indians, who could thus hold their place until our line was within a few feet of them and then deliver their fire with deadly effect. The difficulties were still further increased by a dense fog, which prevented us from seeing the country over which we were moving. About two P. M. I was ordered to move the battallon by the left flank and if possible to form a connection with Captain B. F. Bernard's command. This difficult operation was at last successfully accomplished, not, however, without considerable resistance on the part of the enemy and consequent loss to us of killed and wounded. This movement was conducted along the shore of the lake, overhung by a high rocky ridge, which was in possession of the enemy. It was necessary to drive the enemy from this ridge and left flank, a dense fog at the same time preventing us from seeing the line over which the movement was conducted. At one place a ravine came down from Captain Jack's stronghold. At this point the enemy had concentrated a lorce and the fire was portion of his company were unable to extricate themselves until after dark from a position they had taken by a gallant charge, and held to protect a movement of the com-mand. On arriving at the right of Captain Bernard we had lost connection with the troops with whom we had been operating during the day, and the same gap existed between the troops operating on the west and Captain Bernard as ex isted before we commenced the movement. The Captain Bernard's line. The command having been in motion since four A. M., and in engage

ment with the enemy since eight A. M., being WITHOUT OVERCOATS, BLANKETS OR BATIONS. were suffering greatly from exhaustion, hunger retire with the command to Land's ranch, fifteen miles in the rear, being obliged to carry part of mand in blankets and stretchers. As there were but fifty-five muskets in the engagement the list of killed and wounded shows a loss of almost one-fith in the command. I will leave it to others to find language to convey an adequate idea of the country over which these operations were conducted, and which make the Modoc position a second "Gibraltar."

EXTRACTS FROM REPORT OF CAPTAIN BERNARD, PIRST CAVALRY.

The fog being very heavy we moved much closer to the Indian stronghold than was intended. As soon as this was discovered the retreat as skir mishers was ordered. As soon as the troops started back the Indians opened fire from the rocks, all along our front, but hit no person. They then poured over the rocks, making for our left, and getting possession of some rocks to our rear and left, opened fire upon our pack train. The charge was at once ordered to dislodge the Indians, which was done, we losing three men badly wounded. The command moved about half a mile further, going into camp about dark. On the morning of the 17th the wounded packers and about five soldiers were left at this point, and the remainder of the command, 100 men and officers, moved upon the Modoc stronghold. The fog being very dense the skirmish line got within 100 yards of a deep gorge, when the Indians opened fire; the charge was sounded, and the men moved forward to the gorge, but, finding it impassable under fire, they fell back about one hundred and fifty yards, lying down behind the rocks. The line was then established, the right about one hundred yards from the lake, the left extending as far southwest as it could with safety to every part of it. The line was about a mile and a half long, well protected from the Indian fire. On the first fire we lost one man killed—Lieutenant J. G. very dense, but finally raised, allowing us to see and talk to the troops operating on our right. In about a half hour this force connected with our right moving around upon our line. In the movement the Indians opened a very heavy fire, keeping up until the entire column passed. The exact loss in killed and wounded I don not know, but know they were considerable. I have wished respect fully to say that the place the Indians now occupy CANNOT BE TAKEN BY A LESS PORCE THAN SEVEN

and to take the place by an assault with this force A large force, well equipped, judiciously handled, moving at night by approaches, piling up rocks to protect themselves, so they can operate during the day, may take the place. Howitgers could be

used effectively on the east side of the lava bods. I wish to mention the names of Captain Jackson, Lieutenauts Boutelle and Kyle, First cavalry, for emciency in commanding their troops, and especially for brayery in action and coolness under the

Captain David Perry, First cavalry, slight fiesh wound.
Lieutenant John S. Kyle, First cavalry, slight flesh wound.
Sergeant William Connolly, First cavalry, slight flesh wound.
Sergeant Gerhardt Hight, First cavalry, slight flesh wound.

nesh wound.
Sergeant Josiah S. Brown, Twenty-first infantry,
light spent bali.
Corporal Julian Eiseman, First cavairy, severe
lesh wound. sak wound. Frank McBride, First cavalry, severe fiesh wound. George Hollas, First cavalry, killed immediately. Otts Gutermuth, First cavalry, severe fleat

ately.
W. Jefferson, First cavalry, slight flesh wound.
F. Cutler, First cavalry, slight flesh wound.
W. Warren, First cavalry, slight flesh wound.
C. Slocman, Twenty first intantry, killed imp ately. T. Munroe, Twenty-first infantry, killed imme

O. Anderson, Twenty-first infantry, severe flesh ound. J. Brauner, Twenty-first infantry, killed imme dately.
T. Miller, Twenty-first infantry, severe fracture.
S. Olsen. Twenty-first infantry, severe-fracture.
J. Murphy, Twenty-first infantry, fractured J. Benson, Twenty-first infantry, killed immediately.
R. Losig, Twenty-first Infantry, killed immediately.
S. S. Jones, Twenty-first infantry, slight flesh

- Brown, Oregon volunteers, killed immediately.

Trimble, Oregon volunteers, killed immediately.

J. M. Crooks, California volunteers, severely G. W. Roberts, California volunteers, fractured N. Beswick, California volunteers, severely w. J. Small, California volunteers, severely

wounded.

DEATH OF SOME OF THE WOUNDED.

Since the above report was made out Maher, of the First cavalry, and J. M. Crooks, of the California volunteers, have died. G. W. Roberts, of the California volunteers, is not expected to live, and Miller, of the Twenty-first infantry, has had an arm amputated. The rest of the wounded are in a fair way of recovery.

#### FOREIGN ART NOTES.

Susan Durant, the sculptress, died in Paris in the latter part of January. She was a pupil of the Baron de Triquetri.

The sub-librarian of Trinity, Cambridge, has pre sented to that college some valuable Augio Saxon

The French government has forbidden the ex posure in the Parisian klosks of the engraving of "The Late Emperor Napoleon the Third Alter

Death," recently published in The Graphic.

Edward Weedon, the marine artist, died in the latter part of January. In his peculiar line he was

On January 28 the Royal Academy elected W. H. B. Davis, landscape painter, and J. E. Hodgson as Associates, and T. O. Barlow as Engraver of the

W. W. Deane, an Associate of the Society of Painters in Water Colors, is dead. He was forty

Mr. Valentine Prinsep is preparing a "View of the Staircase, Devonshire House." Respecting his work representing the destruction of the possessed swine the London Athenacum remarks that it "gives a view of gigantic cliffs rising from a calm sea at early evening in Summer, with a warm shadow lying on the water and the foreground, and broken on the horizon by a gleam of white light which appears in the sky and on the sea. The cliffs are of vertical strata, with deep water at their feet. A little way from the front a lofty detached rock raises its spire-like form, separating the forepart of the view from the distant sky. Close to the front, and on our leit of the picture, are the black swine, every pig like ink, and in various stages of distress and terror. The head of a cliff has long ago fallen into the sea, leaving half its height to be filled by a talus of debris. On the crumbling slope without, a parapet, far too steep to permit return, far too loose to allow of their standing still, are the swine. A few have already taken the plunge; black, fat and helpiess, down they go; some squatting on the very brink, contemplate for a moment the deep green water; others slide and slide; others, urged by the weight of those behind, go in the mass downwards only too surely."

Albert Jacquemart has just published "The History of Ceramic Art." An able reviewer says:—
"M. Jacquemart treats his subject in its entirety, commencing with Egypt, China and Japan, and including primitive pottery of all kinds, but the twelfth century—the Renaissance—supplies him with his fullest and grandest theme, and the productions of the great Italian poteries are dwelt upon with the learned enthusiasm of a master in the art of criticism. After this the French Renaissance supplies the author with another grand division of subject; while Holland, England, Spain and other "gives a view of gigantic cliffs rising from a calm

art of criticism. After this the French Renaissance supplies the author with another grand division of subject; while Holiand, England, Spain and other countries are not neglected. The work is completed by full contents and index, which are of great value to the ceramic student, and the whole is contained in a single volume of 700 pages. But the work has another high claim to attention. It contains a series of etchings by the son of the author, M. Jules Jacquemart, whose power of depleting texture, ornamentation light, and almost color in objects of art, in black and white, has certainly never been surpassed, if it has been equalled. The etchings of the jewelled and other objects in the Louvre, executed by M. Jules Jacquemart for the French government some few years since, are known to all the art world of Europe."

Mr. E. M. Ward is painting a picture representing the visit of Charles the Ninth, Catherine de Medici and the Duke of Anjou to the bedchamber of Admiral Coligni after his attempted assassination. Mrs. E. M. Ward is painting an episode in the life of Chatterton—his discovery by his foster mother, Mrs. Edkins, in the act of concocting the earliest specimens of the so-cailed "Rowley Poens."

Mr. H. Warren has, in consequence of his nearly total loss of sight, resigned the presidentship of the Institute of Painters in Water Colors.

Mr. George Shalders, landscape and animal painter, is dead, and leaves a motherless young family unprovided for.

Ricard, the popular French portrait painter and decorator, died January 24. He was well known in France, Germany and England.

### A WOMAN'S BITTER WRONGS.

How the Law's Deficiencies Aid a Man to Escape the Punishment of His Cruelty-A Wife Who is Not a Wife and Yet Is a Wife. TO THE EDITOR OF THE HERALD:-

Recognizing the fact that your journal is the journal of the people, and that whenever any existing abuses are brought to light through your columns that they are immediately remedied, I would beg to submit the following, and trust that some one of our lawmakers at Albany will immortalize himself by coming forward and advocating a reform in law, whereby a respectable lady who may have made a mistake in marrying a drunken, brutai husband is compelled to live with him, and if not forced to dwell with him is compelled to con-sider herself his wife, unless she can prove him

If not loreed to dwell with thin is completed to consider herself his wife, unless she can prove him guilty of adultery.

I was unfortunate enough to marry a man whose cruel treatment, hard blows, but yet harder words, compelled me to seek for a divorce. I obtained a separation, and have supported myself and my children ever since, without ever asking for or receiving one dollar of alimony; but owing to the fact that I cannot follow in his lootsteps and find sufficient evidence to prove adultery against him, aithough separated from him for over five years, I am in law his wife. What mockey of justice Why should not the laws be so amended that both man and wife, after having been separated for three years, holding no intercourse whatsoever, should be granted an absolute divorce? A great deal of misery would thereby be averted.

JUSTITIA. JUSTITIA.

#### THE MASONIO FAIR.

The Grand Masonic Fair in aid of the Hall and Asvium Fund is now definitely settled upon, the General Committee of Arrangements, of which R. W. Eliwood E. Thorne, Deputy Grand Master of the State, is chairman, have selected Apollo Hall as the

### INFANCICIDE IN BROOKLYN.

Yesterday one of the bridgemen at the Hamilon avenue ferry discovered the body of an infant on a cake of ice near the slip. On taking it ant on a case of ice near the sup. On taking it out it was found to have a flat iron, weighing seven pounds, attached to it by a strong cord. The body had been thrown overboard in the night, but, instead of failing into the water, had dropped upon the case of ice and floated about the docks until discovered at the ferry. The coroner was noticed.